

IN THE DRAWINGS

Please add the enclosed new sheet of drawings which includes Fig. 3. This new figure indicates the stacking shaft angled backward as recited in claim 28. It is respectfully submitted that no new matter is added by this drawing and that it contains the same subject matter as Fig. 2 with the exception of the stacking shaft being angled backward. This is disclosed in the originally filed specification and in original claim 9.

REMARKS

The Office Action of August 8, 2006 has been carefully considered.

It is noted that drawings are objected to under 37 C.F.R 1.83(a).

Claims 17 19-21, 26, 27, 29-32 and 34 are rejected under 35 U.S.C. 102(b) over the patent to Crowley, et. al.

Claim 18 is rejected under 35 U.S.C. 103(a) over the patent Crowley, et al. in view of the patent to Forthmann, Jr. '960.

Claim 22 is rejected under 35 U.S.C. 102(a) over the patent to Crowley, et al. in view of the patent to Guerrero.

Claims 23-25 and 33 are rejected under 35 U.S.C. 103(a) over Crowley, et al. in view of the patent to Forthmann, Jr. '013.

Claim 28 is rejected under 35 U.S.C. 103(a) over Crowley, et al. in view of the patent to Neumann, et al.

Claim 35 is rejected under 35 U.S.C. 103(a) over Crowley, et al. in view of the patent to Rimmer, et al.

In connection with the Examiner's objection to the drawings, applicant has enclosed herewith a drawing containing Fig. 3. In this new Fig. 3, the stacking shaft is shown angled backward. Applicant respectfully submits that no new matter is added by this new figure in that it contains the same components as Fig. 2 with the exception that

the entire figure is angled backwardly. Furthermore, this backward angled orientation is disclosed in the originally filed specification and in originally filed claim 9.

In view of these considerations it is respectfully submitted that the objection to the drawings under 37 C.F.R 1.83(a) is overcome and should be withdrawn.

In view of the Examiner's rejections of the claims, applicant has amended independent claim 17.

It is respectfully submitted that the claims now on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references, and particularly to the patent to Crowley, et al., it can be seen that this patent discloses a separator for forming discrete stacks of folded web. The present invention has the following features:

- a. stacking individual strip segments;
- b. a stacking lock with:
 - retractable hold-down devices;
 - retractable pressed-down devices;
 - alternately engaging in unstripped segments;
- c. a light barrier assigned to the hold-down devices, which light barrier is responsive to bulging strip segments in order to retire the motor-driven shaft floor at least to a point where the light barrier is unbroken.

None of these features is disclosed by Crowley, et al. Crowley, et al. deal with stacking stacks 214 of folded sheets (no individual strip segments) which are transferred to a stacking device 230. The individual stack is pushed by a pusher 270 on an elevator platform 240. When the sensor 284 indicates that the stack is deposited on the platform, it is pushed down by a compression plate 252 to a point where the individual stack is

located below a stationary shoulder 308 and a pivoting plate 294. Then the platform and the compression plate 252 are rotated together through 90 degrees. Upon ascent of the compression plate 252 and the elevator plate 240, the stack comes in engagement with the stationary shoulder 308 and the pivoting plate 294 (there are no retractable hold-down devices) which in turn engages a microswitch 302 or a similar sensor which is interconnected with a controller to allow a further stack to be transferred to the stack already disposed on the platform 240.

From the above discussion, it is believed clear that the stacking device of Crowley, et al. has no retractable hold-down devices and no light barrier which would be responsive to holding strip segments and orders retiring the motor driven shaft floor at least to a point where the light barrier is unbroken. Crowley, et al.'s device is constructed and functions completely differently from the presently claimed invention and is not suitable for stacking individual strip segments.

In view of these considerations it is respectfully submitted that the rejection of claims 17, 19-21, 26, 27, 29-32 and 34 under 35 U.S.C. 102(b) over the above-discussed reference is overcome and should be withdrawn.

As for the remaining references which were cited in various combinations with Crowley, et al. in determining the various of the dependent claims were unpatentable, these references have also been considered. It is submitted that none of these references add anything to the teachings of Crowley, et al. so as to suggest the present invention as discussed above and recited in independent claim 17.

In view of these considerations it is respectfully submitted that the rejections of claims 18, 22-25, 28, 33 and 35 under 35 U.S.C. 103(a) are overcome and should be withdrawn.

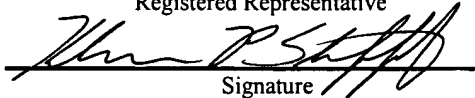
Reconsideration and allowance of the present application are respectfully requested.

In the event any actual fee is greater than any payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 06-2143

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450:

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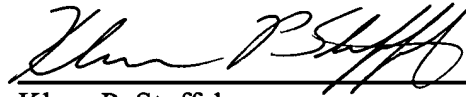


Signature

November 8, 2006

Date of Signature

Respectfully submitted,



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